FAX TRANSMISSION

DATE: November 14, 2006

PTO IDENTIFIER: **Application Number** 10/540,006

Patent Number

Inventor: George Grech et al.

MESSAGE TO: Office of PCT Legal Administration

FAX NUMBER: (571) 273-0459

FROM:

HARNESS, DICKEY & PIERCE, P.L.C.

Stephen T. Olson

PHONE:

(248) 641-1267

Attorney Dkt. #:

4623C-000083/US/NP

PAGES (Including Cover Sheet): 37

CONTENTS:

- Fax Transmittal Sheet;
- 2. Transmittal Letter to DO/EO/US;
- 3. Renewed Submission Under 37 CRF 1,497(d);
- Statement by Added Inventor Under 37 CFR 1.48(a)(2);
 Written Consent by Assignee Under 37 CFR 1.48(a)(5) with copies of supporting Notices of Recordation of Assignment Documents;
- 6. Four (4) Executed Declarations; and
- 7. Declaration of Stephen T. Olson. (1 page)

If your receipt of this transmission is in error, please notify this firm immediately by collect call to sender at (248) 641-1267 and send the original transmission to us by return mail at the address below.

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HARNESS, DICKEY & PIERCE, P.L.C. P.O. Box 828, Bloomfield Hills, Michigan 48303 Telephone: (248) 641-1600 Facsimile: (248) 641-0270 NOV. 14. 2006

P.2

PTO-1390 (Rev. 07-2005)
Approved for use through 03/31/2007, OMB 0651-0021
U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Nuder the Habelmork Hearchon Act of 1995 to bared	was the technica to teabour to a confection of rui-	omation unless it displays a valid OMB control number.
TRANSMITTAL LETTER TO DESIGNATED/ELECTED		ATTORNEY'S DOCKET NUMBER 4623C-000083/US/NPB
CONCERNING A SUBMISSIO		U.S. APPLICATION NO. (Il known, see 97 CFR 1.5) 10/540006
INTERNATIONAL APPLICATION NO. PCT/US2003/038021	INTERNATIONAL FILING DATE 11/26/2003	PRIORITY DATE CLAIMED 11/26/2003
TITLE OF INVENTION		
APPLICANT(S) FOR DO/EO/US	Reduced Water Consumption	Flush Toilet
Applicant herowith submits to the United Sta	George Grech et al. tes Designated/Elected Office (DO/EO)	/US) the following items and other Information:
	s concerning a submission under 35 U	
2. X This is a <u>RENEWED</u> submission of	filtems concerning a submission under	35 U.S.C. 371.
3. This is an express request to begin include items (5), (6), (9) and (21) in	national examination procedures (35 l Indicated below.	U.S.C. 371(f)). The submission must
4. The US has been elected (Article 3	1).	
5. A copy of the International Applicat	ion ea filed (35 U.S.C. 371 (c)(2))	
a. is attached hereto (required on)	ly if not communicated by the Internation	nal Bureau).
b. has been communicated by the	International Bureau,	
	on was filed in the United States Recoh	
	the International Application as filed (3)	5 U.S.C, 371(e)(2)).
a Is attached heroto.		
b. has been previously submitted		
7. Amendments to the claims of the In	nternational Application under PCT Artic	cle 19 (35 U.S.C. 371(c)(3))
a are attached hereto (required o	nly if not communicated by the Internal	tional Bureau).
b. have been communicated by th	e International Bureau.	
c. have not been made; however,	the time limit for making such amendm	nents has NOT expired.
d. have not been made and will no	ot be made.	
8. An English language translation of	the amendments to the claims under P	'CT Article 19 (35 U.S.C, 371(c)(3)).
9. An oath or declaration of the invent		
10. An English language translation of Article 36 (35 U.S.C, 371(c)(5)).	the annexes of the International Prelim	linary Examination Report under PCT
Items 11 to 20 below concern docum	nent(s) or information included:	
11. An Information Disclosure Statem	nent under 37 CFR 1,97 and 1.98.	
12. An assignment document for record	ding. A separate cover sheet in compl	ance with 37 CFR 3.25 and 3.31 is included.
13. A preliminary amendment.		
14. An Application Data Sheet under S	37 CFR 1.76.	
15. A substitute specification.		
16. A power of attorney and/or change	e of address letter.	
17. A computer-readable form of the s	equence listing in accordance with Po	CT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
18. A second copy of the published in	temational Application under 35 U.S.0	C. 154(d)(4),
19. A second copy of the English lang	uage translation of the international a	pplication under 35 U.S.C. 154(d)(4).

PTO-1380 (Rev. 07-2005)

Approved for use through 03/31/2007. OMB 0551-0021 U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. INTERNATIONAL APPLICATION NO. ATTORNEY'S DOCKET NUMBER U.S. APPLICATION NO. ((known, 666 97 CFR 1.5) 4623C-000083/US/NPB 10/540006 20. X Other Items or Information; Fax Transmittal Sheet; Renewed Submission Under 37 CRF 1.497(d); Statement by Added Inventor Under 37 CFR 1.48(a)(2); Written Consent by Assignee Under 37 CFR 1.48(a)(5) with copies of supporting Notices of Recordation of Assignment Documents; Four (4) Executed Declarations; and Declaration of Stephen T. Olson. The following fees have been submitted CALCULATIONS PTO USEONLY Basic national fee (37 CFR 1.492(a)) \$300 \$ 21. 22, Examination fee (37 CFR 1,492(c)) If the written opinion prepared by ISAUS or the international preliminary examination report prepared by IPEAUS indicates all daims satisfy provisions of PCT Article 33(1)-(4)........ \$ Search fee (37 CFR 1.492(b)) \$ All other situations. TOTAL OF 21, 22 and 23 m \$ Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compilance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. Total Sheets Extra Sheets Number of each additional 50 or fraction BATE thereof (round up to a whole number) - 100 m /50 = x \$250.00 \$ Surcharge of \$130 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)). \$ NUMBER FILED NUMBER EXTRA RATE - 20 -Total claims × Independent cialine - 3 = x MULTIPLE DEPENDENT CLAIM(S) (if applicable) TOTAL OF ABOVE CALCULATIONS = Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2. SUBTOTAL = \$ Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest \$ claimed priority date (37 CFR 1,492(i)). \$ Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.26, 3.31). \$40.00 per property \$ S TOTAL FEES ENCLOSED -\$ Amount to be \$ refunded: Amount to be \$ charged

PTO-1390 (Rev. 07-2005) Approved for use through 03/31/2007. DMS 0851-0021 U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.
a. A check in the amount of \$ to cover the above fees is enclosed.
b. Please charge my Deposit Account No. In the amount of \$ to cover the above fees. A duplicate copy of this sheet is enclosed.
c. X The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 08-0750 . A duplicate copy of this sheet is enclosed.
d. Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card Information should not be included on this form. Provide credit card Information and authorization on PTO-2038
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.37(a) or (b)) must be filled an granted to restore the international Application to pending status.
4/1
SEND ALL CORRESPONDENCE TO:
Stephen T. Olson HARNESS, DICKEY & PIERCE, P.L.C.
P. O. Box 828 Bloomfield Hills, MI 48303 United States of America Stephen T. Olson NAME
36,626
CUSTOMER NUMBER: 27572 REGISTRATION NUMBER Date: November 14, 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: National Phase Application of PCT/US2003/38021

(Unofficial U.S. Serial No. 10/540,006 filed 20 June 2005)

International

Filing Date:

26 November 2003

Applicant:

George GRECH et al.

Group Art Unit:

To be assigned

Examiner:

To be assigned

Title:

REDUCED WATER CONSUMPTION FLUSH TOILET

Attorney Docket:

4623C-000083/NPB

Assistant Commissioner for Patents - ATTENTION: PCT Legal Office Mail Stop PCT P.O. Box 1450

Alexandria, Virginia 22313-1450

RENEWED SUBMISSION UNDER 37 CFR 1.497(d)

This is a renewed submission under 37 CFR 1.497(d) prepared in response to the Decision mailed on 21 September 2006 in connection with the above matter.

Enclosed with this Renewed Submission are the following documents:

- Statement by Added Inventor Under 37 CFR § 1.48(a)(2);
- 2. Written Consent by Assignee Under 37 CFR § 1.48(a)(5) with copies of supporting Notices of Recordation of Assignment documents;
- 3. Complete copies of executed Declarations which collectively bear all the required signatures; and
 - 4. Declaration of Stephen T. Olson,

The Decision states that Applicants have not provided a statement by Brian Kelly that he was inadvertently excluded as a named inventor without deceptive intent on his part. The required Statement by Added Inventor is included herewith.

The Decision states that the Written Consent By Assignee does not satisfy 37 CFR 3,73(b)(1) because it is not accompanied by documentary evidence of a chain of title (and a request to record it) or by a statement specifying the reel and frame number where such documentation may be found in the records of the USPTO. A Written Consent by Assignee specifying reel and frame numbers is included herewith.

With respect to the Declaration, the Decision states:

Inspection of the declaration documents filed on 21 July 2006 reveals that they appear to have been assembled by aggregating individual sheets signed by each of the inventors into two composite documents (each of which names a different inventive entity). Since counsel has not provided copies of the complete declaration documents signed by each inventor, it is not clear that each inventor had the benefit of signing a complete copy of the declaration document, naming the proper inventive entity. Therefore, it would not be appropriate to grant the requested relief at this time. Counsel is required to furnish a complete declaration, as signed by the inventors, nominating the complete and correct inventive entity. It is noted that one of the declaration documents filed on 21 July 2006 does list an inventive entity including the inventors nominated on the published international application, except for Keith and Exner, and also includes Kelly. However, said document is defective for the other reasons noted herein.

In responding to the Response to Notification of Defects, Applicant submitted two different form Declarations. Such action was done as a precautionary measure. Insofar as the error in inventorship was not identified until after the PCT 30 month date (and U.S. national phase filing), it is the understanding of the undersigned that correction in the international phase of prosecution is no longer possible. As such, Form IB 306 is not available for this case. With respect to the submitted declarations, the first form¹ included all the inventors identified in the PCT application. Please note, however, the first paragraph of this declaration, reads as follows:

This Declaration and Power of Attorney has been prepared and executed to include all inventors named during the PCT phase of prosecution. It has been determined that Kim KEITH and Greg EXNER should not have been inventors of the claimed subject matter of the PCT application. It has been further determined that Brian KELLY should properly be included as an inventor of the PCT application. Subject to these noted changes of inventorship which will be addressed in Statements of Corrected Inventorship Under 37 CFR §1.48 to be submitted contemporaneously herewith, I hereby declare that:

¹ This version of the Declaration was a five-page document.

The intent was to submit a declaration signed by all the inventors mentioned on the published international application for purposes of satisfying Patent Office requirements.

The second form² of the declaration was signed by each inventor. Each inventor had the benefit of signing a complete copy of the declaration (4 pages) naming the proper inventive entity. See Declaration of Stephen T. Olson, ¶2. Applicants are submitting herewith complete copies of Declarations naming the proper inventive entity executed by the inventors. A first copy bears the signatures of George GRECH, Michael HARRIS, Jason SMITH, Steve MEYER and Brian KELLY. A second copy bears the signature of Michael FRITZ. A third copy bears the signature of Eric KRUPP. A fourth copy bears the signature of Craig KARAGITZ.

Applicant believes that all the deficiencies noted in the Decision have been corrected. To any extent necessary, Applicant petitions the Commissioner under 37 CFR 1.183 to suspend or waive the technical requirements of the appropriate regulations. The Commissioner is authorized to charge any fees incurred for such a petition to Deposit Account No. 080750 for the undersigned.

Prompt and favorable consideration of this Renewed Submission is respectfully requested. If the Examiner has any questions or concerns or believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641.1267.

Dated: Nav. 14, 2006

Stephen T. Olson

Respectfully eabmixted.

Registration No. 36,626 Attorney for Applicant

HARNESS, DICKEY & PIERCE, P.L.C. P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600
STO/kgg

² This version of the Declaration was a four-page document.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.:

National Phase Application of PCT/US2003/38021

(Unofficial U.S. Serial No. 10/540,006 filed 20 June 2005)

International

Filing Date:

26 November 2003

Applicant:

George GRECH et al.

Group Art Unit:

To be assigned

Examiner:

To be assigned

Title:

REDUCED WATER CONSUMPTION FLUSH TOILET

Attorney Docket:

4623C-000083/NPB

Assistant Commissioner for Patents ATTENTION: PCT Legal Office Mail Stop PCT P.O. Box 1450 Alexandria, Virginia 22313-1450

STATEMENT BY ADDED INVENTOR UNDER 37 CFR §1.48(a)(2)

I, Brian KELLY, state that through error I was inadvertently excluded from being named as an inventor in the above-referenced patent application and that the error in inventorship occurred without deceptive intent on my part.

Respectfully submitted,

Dated: 11/9/0

Brian KELLY

2737 West Barnes

Mason, Michigan 48854

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.:

National Phase Application of PCT/US2003/38021

(Unofficial U.S. Serial No. 10/540,006 filed 20 June 2005)

International

Filing Date:

26 November 2003

Applicant:

George GRECH et al.

Group Art Unit:

To be assigned

Examiner:

To be assigned

Title:

REDUCED WATER CONSUMPTION FLUSH TOILET

Attorney Docket:

4623C-000083/NPB

Assistant Commissioner for Patents - ATTENTION: PCT Legal Office Mail Stop PCT P.O. Box 1450
Alexandria, Virginia 22313-1450

WRITTEN CONSENT BY ASSIGNEE UNDER 37 CFR §1.48(a)(5)

The Assignee of the above referenced patent application, THETFORD CORPORATION, hereby consents in writing to the correction of inventorship to remove inventors Kim KEITH and Greg EXNER and add inventor Brian KELLY as evidenced by the attached Assignment documents. The Assignments were recorded with the U.S. Patent and Trademark Office on November 2, 2006 as follows: (1) Reel 018472, Frame 0175; (2) Reel 018472, Frame 0245; and (3) Reel 018472, Frame 0344.

I, Greg Exner, am authorized to act on behalf of the Assignee.

Respectfully submitted,

THETFORD CORPORATION

Dated: 9740 Zoob

Greg EXNER

Vice President of Global Engineering

7101 Jackson Road Ann Arbor, MI 48106



United States Patent and Trademark Office

Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office

NOVEMBER 02, 2006

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.... No.633

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STEPHEN T. OLSON 5445 CORPORATE DRIVE SUITE 200 TROY, MI 48098

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RECORDATION DATE: 11/02/2006

REEL/FRAME: 018472/0175

NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

DOCKET NUMBER: 4623C-000083/US/NPB

ASSIGNOR:

KARAGITZ, CRAIG, MR.

DOC DATE: 07/21/2006

ASSIGNEE:

THETFORD CORPORATION 7101 JACKSON ROAD ANN ARBOR, MICHIGAN 48106

SERIAL NUMBER: 10540006 PATENT NUMBER:

FILING DATE:

ISSUE DATE:

TITLE: REDUCED WATER CONSUMPTION FLUSH TOILET

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NO.633 P.11

018472/0175 PAGE 2

ASSIGNMENT SERVICES BRANCH PUBLIC RECORDS DIVISION

NO.633

P.12

PATENT ASSIGNMENT

Electronic Version v1.1 Stylesheet Version v1.1 11/02/2006 500173383

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	ASSIGNMENT

CONVEYING PARTY DATA

Name	Execution Date
Mr. Creig KARAGITZ	07/21/2006

RECEIVING PARTY DATA

Name:	Thetford Corporation	
Street Address:	7101 Jackson Road	
City:	Ann Arbor	
State/Country:	MICHIGAN	2-72
Postal Code:	48106	

PROPERTY NUMBERS Total: 1

Property Type	Number
Application Number:	10540006

CORRESPONDENCE DATA

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(248)641-0270

Correspondence will be sent via US Mail when the fax attempt is unsuccessful.

Phone:

248.641,1600

Email:

kgallotti@hdp.com

Correspondent Name:

Stephen T. Olson

Address Line 1:

5445 Corporate Drive

Address Line 2:

Suite 200

Address Line 4:

Troy, MICHIGAN 48098

ATTORNEY DOCKET NUMBER:	4623C-000083/US/NPB

NAME OF SUBMITTER:

Stephen T. OLSON

Total Attachments: 2

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UNITED STATES PATENT AND TRADEMARK OFFICE

Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office

NOVEMBER 02, 2006

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STEPHEN T. OLSON 5445 CORPORATE DRIVE SUITE 200 TROY, MI 48098

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RECORDATION DATE: 11/02/2006

REEL/FRAME: 018472/0245

NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

DOCKET NUMBER: 4623C-000083/US/NPB

ASSIGNOR:

FRITZ, MICHAEL, MR.

DOC DATE: 07/14/2006

ASSIGNEE:

THETFORD CORPORATION 7101 JACKSON ROAD ANN ARBOR, MICHIGAN 48106

SERIAL NUMBER: 10540006

PATENT NUMBER:

FILING DATE:

ISSUE DATE;

TITLE: REDUCED WATER CONSUMPTION FLUSH TOILET

KNOV.14.2006 7:55AM HARNESSDICKEYPIERCE 248-641-0270* 100.633 P.14

018472/0245 PAGE 2

ASSIGNMENT SERVICES BRANCH PUBLIC RECORDS DIVISION

___NO.633

P.15

PATENT ASSIGNMENT

Electronic Version v1.1 Stylesheet Version v1.1

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SUBMISSION TYP	TYPE: NEW ASSIGNMENT				
NATURE OF CONVEYANCE: ASSIGNMENT					
CONVEYING PAR	TY DATA				
	-				7
Mr. Michael FRITZ	,	F	Vame	Execution Date	
[MI MICHAELT KI]2				07/14/2006	
RECEIVING PART	Y DATA				
Name:	Thetford Co	rporalio	n		1
Street Address:	7101 Jackso	n Road			14
City;	Ann Arbor			•	
State/Country:	MICHIGAN				
Postal Code:					
PROPERTY NUMB Property	Туре		Number		
Application Number: 10540006		006			
CORRESPONDENC	CE DATA				
Fax Number:	(248)64				
Phone:	De senr via US 24R RA1	<i>M80 W</i>	hen the fax attempt is unsuccessful.		
Email:	240.041,1000				
	Correspondent Name: Stephen T. Olson				
Address Line 1: 5445 Corporate Drive					
Address Line 2: Suite 200					
Address Line 4:	Troy, MI	CHIGA	N 48098	212-0	
ATTORNEY DOCKET NUMBER: 4623C-000083/US/NPB					
NAME OF SUBMITT	NAME OF SUBMITTER: Stephen T. OLSON				
Total Attachments: 2		السنسي			



United States Patent and Trademark Office

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

NOVEMBER 02, 2006

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STEPHEN T. OLSON 5445 CORPORATE DRIVE SUITE 200 TROY, MI 48098

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PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 571-272-3350. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, MAIL STOP: ASSIGNMENT SERVICES BRANCH, P.O. BOX 1450, ALEXANDRIA, VA 22313.

RECORDATION DATE: 11/02/2006

REEL/FRAME: 018472/0344

NUMBER OF PAGES: 6

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS). DOCKET NUMBER: 4623C-000083/US/NPB

ASSIGNOR:

GRECH, GEORGE, MR.

DOC DATE: 07/21/2006

ASSIGNOR:

HARRIS, MICHAEL, MR.

DOC DATE: 07/21/2006

ASSIGNOR:

SMITH, JASON, MR.

DOC DATE: 07/20/2006

ASSIGNOR:

KRUPP, ERIC, MR.

DOC DATE: 07/20/2006

ASSIGNOR:

MEYER, STEVE, MR.

DOC DATE: 07/19/2006

018472/0344 PAGE 2

ASSIGNOR:

KELLY, BRIAN, MR. DOC DATE: 07/19/2006

ASSIGNEE:

THETFORD CORPORATION 7101 JACKSON ROAD ANN ARBOR, MICHIGAN 48106

SERIAL NUMBER: 10540006 FILING DATE: PATENT NUMBER: ISSUE DATE:

TITLE: REDUCED WATER CONSUMPTION FLUSH TOILET

ASSIGNMENT SERVICES BRANCH FUBLIC RECORDS DIVISION

P.18

PATENT ASSIGNMENT

Electronic Version v1.1 Stylesheet Version v1.1 11/02/2006 500173394

SUBMISSION TYPE:	NEW ASSIGNMENT	
NATURE OF CONVEYANCE:	ASSIGNMENT	

CONVEYING PARTY DATA

Nama	Execution Date
Mr. George GRECH	07/21/2006
Mr. Michael HARRIS	07/21/2006
Mr. Jason SMITH	07/20/2006
Mr. Eric KRUPP	07/20/2006
Mr. Steve MEYER	07/19/2006
Mr. Brian KELLY	07/19/2006

RECEIVING PARTY DATA

Name:	Thetford Corporation	
Street Address:	7101 Jackson Road	
City:	Ann Arbor	
State/Country:	MICHIGAN	
Postal Code:	48106	

PROPERTY NUMBERS Total: 1

Property Type	Number
Application Number:	10540006

CORRESPONDENCE DATA

Fax Number:

(248)841-0270

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kgaliotti@hdp.com

Correspondent Name:

Stephen T. OLSON

Address Line 1:

5445 Corporate Drive

Address Line 2:

Suite 200

Address Line 4:

Troy, MICHIGAN 48098

ATTORNEY DOCKET NUMBER;

4623C-000083/US/NPB

ובשטטוני

\$40 AB

NAME OF SUBMITTER:

Stephen T, OLSON

Total Attachments: 4
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